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18 Attorneys for Plaintiff

19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION

22 UNITED STATES OF AMERICA,) CR No. 08-0164 MHP
23 Plaintiff,) STIPULATION AND [PROPOSED] ORDER
24 v.) EXCLUDING TIME
25 W. SCOTT HARKONEN,)
26 Defendant.)

27 On September 15, 2008, the parties in this case appeared before the Honorable District
28 Court Judge Marilyn H. Patel for further status conference. The parties stipulated that time
should be excluded from the Speedy Trial Act calculations from September 15, 2008 to March 5,
2009, at which time the parties are scheduled to appear for a hearing on first round pretrial

1 motions.

2 The parties represented that granting the continuance was necessary for effective preparation
3 of counsel given the complexity of the case, nature of the prosecution, and voluminous
4 discovery, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(A) and
5 (B)(ii).

6 SO STIPULATED:

7 BRIAN J. STRETCH
8 Acting United States Attorney

9 DATED: September 15, 2008

10 /s/
11 IOANA PETROU
12 Assistant United States Attorney

13 DATED: September 15, 2008

14 /s/
15 WILLIAM M. GOODMAN
16 Attorney for W. Scott Harkonen

17 As the Court found on September 15, 2008, and for the reasons stated above, the Court
18 finds that the ends of justice served by the continuance outweigh the best interests of the public
19 and the defendant in a speedy trial and that time should be excluded from the Speedy Trial Act
20 calculations from September 15, 2008 to March 5, 2009 for effective preparation of counsel.
21 See 18 U.S.C. §3161(h)(8)(A). The failure to grant the requested continuance would deny
22 counsel reasonable time necessary for effective preparation, taking into account the complexity
23 of the case and nature of the prosecution, and would result in a miscarriage of justice. See 18
24 U.S.C. §3161(h)(8)(B)(ii).

25 SO ORDERED.

26 DATED: 9/18/2008

